

To whom it may concern,

I am a consumer and Sirius subscriber and urge you to approve the merger.

I have been a subscriber to satellite radio for over two years now. Before that, I listened to AM and FM stations and Internet radio. I am absolutely in favor of the merger. I believe that this merger will create the opportunity for tiered programming, giving consumers more choice and also giving subscribers like myself, more programming. I would like to have the chance of hearing much of the content XM has to offer along with my Sirius content - all from one receiver. For example, I would love to have the baseball package right now that XM offers, but I'm not going to put two separate receivers on my dashboard, pay 2 separate subscriptions fees, and have to switch back and forth between them - and no consumer should have to do that. Better pricing, more programming choices.

As far as the competitive arena in which satellite radio exists, I think it is fairly simple and clear that satellite radio competes directly with everything that is trying to win the consumer's ear in the car and the home including AM, FM, MP3 players (iPODs), internet radio, and HD radio, along with new competitors such as Slacker and others who are finding new ways to get audio entertainment into the car and home. This is a rapidly evolving industry and anyone who fails to see that simply doesn't have a good understanding of its nature.

A perfect example of this competitive arena can be seen in just a small sampling of my close friends. I, along with several of my friends, listen to satellite radio. I also have other friends who don't listen to satellite radio but instead, like I used to, listen to terrestrial AM/FM radio and are perfectly happy doing so. I also have a few friends who mainly listen to their iPODs in the car - and this is the main source of their audio entertainment. I also have several friends who listen to Internet radio. I really don't think there is any rational argument that can legitimately be made that all of these don't compete - of course they do. They all can deliver music, sports, programming, news, and entertainment to the consumer's ear.

And to drive the point home even further, that these all compete with each, one needs to look no further than the SEC filings of the major terrestrial radio companies. CBS Radio (and other broadcasters) actually already defined the competitive landscape of this industry in their SEC 10K filings. Here is a direct snippet from [CBS's 10-K](#) in which they state the following:

**"Radio Competition.**

The Company's radio stations directly compete within their respective markets for audience, advertising revenues and programming with other radio stations including those owned by other group owners such as ABC Radio, Clear Channel Communications, Cox Radio, Emmis Communications, Entercom and Radio One. The Company's radio stations also compete with other media, such as broadcast, cable and DTH satellite television, radio, newspapers, magazines, the Internet and direct mail.

The radio industry is also subject to competition from two satellite-delivered audio programming services, Sirius Satellite Radio and XM Satellite Radio, each providing over 100 channels of pay digital audio services. Sirius and XM sell advertising time on some of their channels and compete with the radio industry for programming.

The Company's radio stations face increasing competition from audio programming delivered via the Internet and from consumer products such as portable digital audio players. These new technologies create new ways for individuals to listen to music and other content of their choosing while avoiding traditional commercial advertisements. An increasingly broad adoption by consumers of portable digital audio players could affect the ability of the Company's radio stations to attract listeners and advertisers.

That pretty much says it all. They all compete for the consumer's ear/attention. Here are also links to other terrestrial radio broadcasters that all include satellite radio as competition - [Radio One's 10K](#); [Cox Radio's 10K](#); [Entercom's 10K](#), and [Clear Channel's 10K](#).

In addition, the NAB, who has come out vigorously against the merger (by the way a strong clue that they are in fact competitors) has already stated previously that they are, in fact, in direct competition with satellite radio, internet radio, iPODs and MP3 players, cell phones and others. Here are just two instances where David Rehr, President of the NAB, cites that satellite radio and others are in direct competition with terrestrial radio:

1) [Direct quote](#) from David Rehr, President of the NAB, from The 2006 NAB Radio Show - September 21, 2006:

"In 2006, we have satellite and Internet radio. And barely a day passes without the introduction of a new competing device or service. But we have news for our competitors: "We will beat you - as we have beaten those change agents in the past."

2) And here is [video](#) of David Rehr saying that they are all competitors - below is the text:

"Who are the newer competitors? On the television side, in addition to cable and satellite and the Internet, we now have Video on Demand, interactive TV, time-shifting, place-shifting, and much more. On the radio side, we have satellite radio, Internet radio, iPODs, other MP3 players, cell phones and others."